

ECF CASE
JUDGE BUCHWALD

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the **May 5, 2007**
DeLaHoya/Mayweather Program,
Plaintiff.

-against-

MARIA PAULINO, Individually, and d/b/a ANA COFFEE SHOP a/k/a MARIA PAULINO RESTAURANT a/k/a ANNA RESTAURANT,

and

ANA COFFEE SHOP a/k/a MARIA PAULINO
RESTAURANT a/k/a ANNA RESTAURANT,

Defendants.

STATE OF NEW YORK :
: SS.:
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for Plaintiff, J & J Sports Productions, Inc., in the above referenced matter and I am admitted to practice in this Court. I am fully familiar with all the facts, circumstances and proceedings heretofore had herein.

2. I make this affidavit in support of Plaintiff's motion for default judgment and damages, costs and fees.

3. Plaintiff's litigation expenses as associated with the formation, pleading and filing of the above captioned matter are as outlined below:

a. Filing Fees - \$350.00

ATTORNEY'S AFFIDAVIT OF COSTS AND FEES

Civil Action No.07-cv-08853
Hon. Naomi Reice Buchwald

b. Service of Process - \$200.00
Attached hereto as Exhibit "A," please find invoice from Signal Auditing, Inc., reflecting the cost of service upon the Defendants.

c. Attorneys Fees - \$831.25
See below

Total Litigation Expenses(\$1,381.25)

4. Attorney fees at \$200.00 per hour for attorney time spent and \$75.00 for paralegal time spent are as follows:

| <u>Date</u> | <u>Action</u> | | <u>(in hours)</u> | <u>Fee</u> |
|-------------|---|-----|-------------------|------------|
| 06/08/2007 | Factual research and development | .50 | \$100.00 | Atty |
| 06/08/2007 | Claim Letter issued | .25 | \$18.75 | Para |
| 07/10/2007 | TC from Defendant | .12 | \$25.00 | Atty |
| 07/16/2007 | Review Ltr. from Defendant | .13 | \$25.00 | Atty |
| 07/20/2007 | Demand Letter Issued | .25 | \$18.75 | Para |
| 07/20/2007 | Factual research | .25 | \$50.00 | Atty |
| 10/10/2007 | Complaint drafted, Corporate disclosure | .50 | \$300.00 | Atty |
| 10/10/2007 | Complaint sent to Court for Filing | .25 | \$18.75 | Para |
| 11/01/2007 | Arranged Service | .25 | \$18.75 | Para |
| 12/03/2007 | Review Ltr from Defendant | .12 | \$25.00 | Atty |
| 12/17/2007 | Review Service | .13 | \$25.00 | Atty |
| 12/18/2007 | Filed and mailed Proofs of Service | .25 | \$18.75 | Para |
| 08/24/2007 | Review Order | .12 | \$25.00 | Atty |
| 01/14/2008 | Drafting Request for Default | .50 | \$100.00 | Atty |
| 01/14/2008 | Filed and mailed Request For Default | .50 | \$37.50 | Para |
| 01/17/2008 | Review Clerk's Certificate | .13 | \$25.00 | Atty |

| | | | | |
|--------------|----------------------------|------------------|-----------------|------|
| 01/24/2008 | Drafted Motion for Default | 1.0 | \$200.00 | Atty |
| <hr/> | | | | |
| | | Hours | Fee | |
| | | 3.5 Atty | \$700.00 | |
| | | 1.75 Para | \$131.25 | |
| <hr/> | | | | |
| Total | | | \$831.25 | |

5. As part of its factual research, Plaintiff's Counsel conducted a search of the New York State Division of Alcoholic Beverage Control State Liquor Authority. The results show that Maria Paulino is Principal of Ana Coffee Shop. The Public Query Results page is attached hereto as Exhibit "B".

6. The auditor during the course of her investigation took a brief video which shows shows commentator Lennox Lewis talking into the microphone Attached hereto as Exhibit C is a copy of the auditors' video. Lennox Lewis is a commentator for HBO-PPV, attached hereto as Exhibit 'D', is a biography of Lennox Lewis from HBO-PPV website. Lennox Lewis was a commentator for the May 5, 2007 De La Hoya/ Mayweather event.

7. We respectfully request that judgment be entered in favor of Plaintiff and against the Defendants in the manner stated herein.

WHEREFORE, your deponent respectfully requests that this Court in its discretion grant judgment by default under 605(a) on COUNT I of the Plaintiff's complaint against the Defendants jointly and severally as follows:

Against, MARIA PAULINO, Individually, and d/b/a ANA COFFEE SHOP a/k/a MARIA PAULINO RESTAURANT a/k/a ANNA RESTAURANT

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE

HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)

- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of SIX HUNDRED NINETY DOLLARS AND SIXTY TWO CENTS (\$690.62)

Against, ANA COFFEE SHOP a/k/a MARIA PAULINO RESTAURANT a/k/a ANNA RESTAURANT

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of SIX HUNDRED NINETY DOLLARS AND SIXTY TWO CENTS (\$690.62)

Dated: January 24, 2008
Ellenville, NY 12428

/s/ Julie Cohen Lonstein
Julie Cohen Lonstein, Esq.
Bar Roll No. JL8512
Lonstein Law Office, P.C.
Attorneys for Plaintiff
1 Terrace Hill; PO Box 351
Ellenville, NY 12428
Telephone: 845-647-8500
Facsimile: 845-647-6277

Sworn to before me this 24th
day of January 2008

/s/ April Draganchuk
April Draganchuk
Notary Public State of New York
Registration No. 4945872
Residing in Ulster County
My Commission Expires Jan. 27, 2011

Exhibit A

| Description | Amount |
|--|----------|
| INDIVIDUAL SERVICE J&J v. MARIA PAULINO YOUR FILE #07-4-S17 CV #07-8853 | 100.00 |
| Total | |
| | \$100.00 |

Invoice

1 Terrace Hill
P.O. Box 615
Ellenville, NY 12428

| Date | Invoice # |
|----------|-----------|
| 1/3/2008 | 1195 |

| |
|---|
| Bill To |
| Lonstein Law Office, PC Wayne D Lonstein 1 Terrace Hill P.O. Box 351 Ellenville, NY 12428 |

| Description | Amount |
|--|--------|
| CORPORATE SERVICE J&J v. ANA COFFEE SHOP YOUR FILE #07-4-S17 CV#07-8853 | 100.00 |
| Total \$100.00 | |

Exhibit B



Eliot Spitzer
Governor



Daniel B. Boyle
Chairman

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Public Query - Results

License Information

Serial Number: 1004358

License Type: RESTAURANT WINE

License Status: License is Active

Credit Group: 4

Filing Date:

Effective Date: 10/01/2006

Expiration Date: 09/30/2007

Premises Information

Principal's Name:

Premises Name: MARIA PAULINO

Trade Name: ANA COFFEE SHOP

Zone: 1

Address: 8 W TREMONT AVENUE

STORE #B

BRONX, NY 10453

County: BRONX

You can select one of the following links to perform another search:

- [Search by Name](#)
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- [Search by Principal](#)

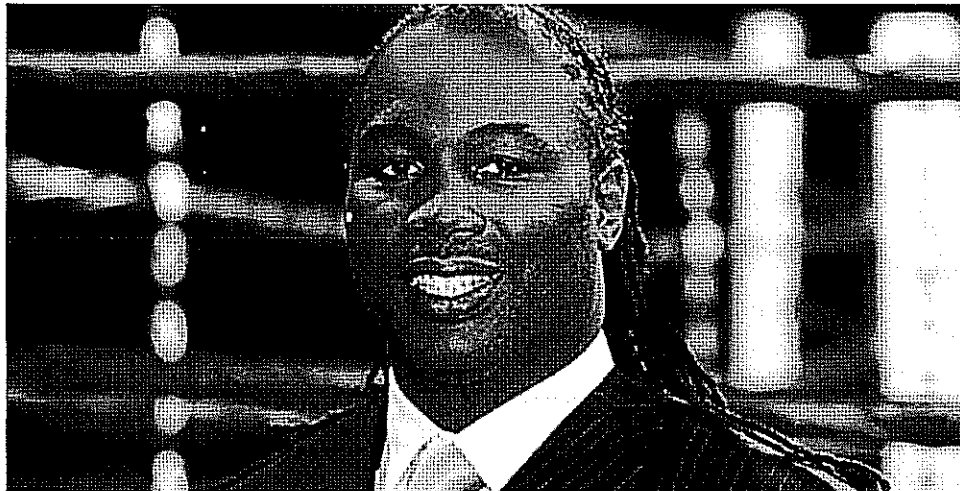
Exhibit "C"

. See video Disk in
hard copy of Court's Copies

Exhibit "D"

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BIOS



LENNOX LEWIS

updated May 25, 2006

Lennox Lewis accomplished more in one boxing career than most people can imagine. And his decision to retire as the reigning heavyweight champion of the world in 2004 re-affirmed that this is a man who makes decisions for himself and sticks to his principles.

The former undisputed heavyweight champ, who retired with a career mark of 41-2-1, 32 KOs, is the new expert commentator for the HBO BOXING AFTER DARK series. It marks his first full-time announcing venture. The exclamation point on his ring career came in June of 2002 when in the highest grossing pay-per-view fight in history, Lewis totally outclassed challenger Mike Tyson in Memphis, Tenn. The extraordinary event generated two million pay-per-view buys.

Along with Muhammad Ali and Evander Holyfield, Lennox makes up a legendary trio of boxers who have captured the heavyweight championship on three separate occasions. Lewis defeated out some of the top boxers of the modern era, including Tyson, Holyfield, and Vitali Klitschko. "The Lion" was on the receiving end of one KO to Hasim Rahman in 2001, which he shortly avenged with a knockout of his own.

Before turning pro Lewis tallied an impressive amateur record of 85-9 which he capped with a gold medal at the 1988 Seoul Olympics. Lennox earned the medal for Team Canada by defeating another future world heavyweight champion in Riddick Bowe.

Born in England, Lennox remains active in the boxing community and advocates increased safety measures for fighters in and out of the ring. He and his family reside in Miami, Florida.

ALL BIOS

COMMENTATORS

[Jim Lampley](#)
[Larry Merchant](#)
[Max Kellerman](#)
[Emanuel Steward](#)
[Harold Lederman](#)
[Bob Papa](#)
[Lennox Lewis](#)

COLUMNISTS

[Ron Borges](#)
[Bert Sugar](#)
[Compubox](#)
[William Dettloff](#)
[Nat Gottlieb](#)

EVENTS

PPV: [Trinidad vs. Jones](#)

BAD: [Povetkin vs. Chamber](#)

PPV: [Pavlik vs. Taylor II](#)

WCB: [Klitschko vs. Ibragim](#)

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